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## Preface

The characteristics of our town, an open countryside with wide vistas and forests, neighborliness with privacy and a strong community spirit, took form in response to the needs and expectations of residents who worked and lived here. Now, ninety percent of residents work elsewhere and the economic conditions of most residents have changed. Disparities not formerly evident have appeared. Some residents have little land and a high income; others possess large parcels and little cash. Must the character of the town change in response to these changes? Not necessarily. This is where the town plan can make a difference. The purpose of a town plan is to ascertain the wishes of the residents, to take societal developments into account and to define actions that best fit the wishes of the constituents. The planning process provides an opportunity to sustain the qualities that make Underhill an attractive place to live and work. The challenge is to put together a plan that meets the interests of the majority.

The 2004 Town Plan consists of two reports and a set of maps.  
This document, called “Town Plan”, focuses on objectives, obstacles and actions.  
A second report, called “Town Profile”, describes the town geology, history and services.

January 19, 2004  
Underhill Planning Commission

## Our vision

We want to preserve our town’s scenery and maintain a small-town ambiance.  
We envisage a pedestrian-friendly, high-density, mixed-use village center that promotes contacts among residents and that does not require driving to shops farther away.  
We want low-income families to be able to live here.  
We endorse innovative, environmentally responsible, agricultural ventures that help to maintain a working landscape.

## Main proposed actions

- Promote conservation of open land Page 13
  - Identify land that is worth being preserved and assign priorities.
  - Promote and support the initiatives of the Jericho-Underhill Land Trust
  
- Investigate, together with Jericho, the feasibility of new village growth in the Flats Page 23, 24
  - Acquire grants for planning a village center
  - Provide a decentralized sewage disposal system
  - Create opportunities for affordable housing

## Basic concerns

In discussions about the future of our town, in town meetings and in the results of surveys we have time and again been confronted with two dilemmas:

- How to respect landowner rights while preserving the landscape and a small town ambiance.
- How to provide services while protecting people's disposable income.

## Managing growth

There is a tension between the tendency to grow and the wish to remain rural. It is the dilemma between the freedom of landowners to realize the value of their property and the wish of the community to preserve the landscape. Ever since 1970 when Underhill's first town plan was drafted and community opinions canvassed, residents have wished to maintain the rural character of Underhill. The population increase in Chittenden County has built pressure to develop land, offering large economic incentives to landowners and thus threatening to change the rural character of the Town. The Circumferential Highway, once finished, will give an extra growth impulse. This tension is unresolved and growing - we cherish our forests, fields, and farms, but scattered development continues. The challenge is to grow with little impact on the environment and our small town ambiance. The best answer is to concentrate growth in a village center.

## Growth in the previous years

In the late sixties and seventies, Underhill grew explosively. In the eighties, our expansion slowed considerably and in the nineties, it slowed down to a trickle.

Underhill Population Change in percentages<sup>1</sup>

1950-60	1960-70	1970-80	1980-90	1990-00
5	64	81	29	6

Growth in Underhill depends on the economic conditions in Chittenden County and in the nation. However, even when the economy was booming, growth was lower than in adjacent towns. From 1990 to 2000 when our population grew 6%, Jericho grew 17% and Cambridge 19%. The physical constraints of the land together with our zoning restrictions limited growth.

## Obstacles to growth

The same geologic factors that created our attractive scenery constitute problems for modern day life. Road maintenance is a challenge. The aquifers, which supply our drinking water, are vulnerable. Septic systems in the glacial soils are expensive. Much land is steep, rocky and inaccessible. Route 15 north of Poker Hill is flanked by steep ledge on one side, wetlands on the other side. The large open meadow in the Flats has water run-off and streams. Where building is relatively easy, the land is already developed. However, despite the physical obstacles, building will continue. There will always be people who can afford high development costs. Ample building sites are available; for instance along English and Irish Settlement Roads and Poker Hill Road.

## Predicted growth

As shown above, the population growth in the last ten years has been on average 0.6% per year. By limiting the number of building permits per year (see page 20) we expect not to exceed the predicted 1.4% yearly population growth rate in Chittenden County.

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<sup>1</sup> Source:

[http://maps.vcgi.org/indicators/cfhome/trend.cfm?Geo=Town&RThemeItem=Y&Code=7075&Call\\_Program=INDICATORS](http://maps.vcgi.org/indicators/cfhome/trend.cfm?Geo=Town&RThemeItem=Y&Code=7075&Call_Program=INDICATORS)

## Focusing growth

Because of our topography, new housing tends to be in parallel lots in the valleys. This is preferable to development covering wide areas of farmland, but it is not optimal. Concentrating growth in village centers is the avowed goal of land use plans at state, regional and town level.

The Residential District in the Flats is our designated growth center. However, of the 63 houses that were built since 1999, only three were built in the Flats. A compact village that provides a variety of housing alternatives is not likely to take place without active involvement of the town in providing the infrastructure and setting the parameters for good design.

The chapter “Planning a village center” reiterates the arguments for focusing growth.

## Ways to maintain our rural character

The primary regulatory tool is delineating zoning areas that specify requirements for lot size, etc. Furthermore, landowners can decide to keep land undeveloped:

- Temporarily, as agreed in tax reduction contracts with the State or the Town
- Permanently, as specified in conservation contracts

## Managing taxes

### The property tax rate

Managing town taxes comes down to determining two budgets: for the school and for the town.

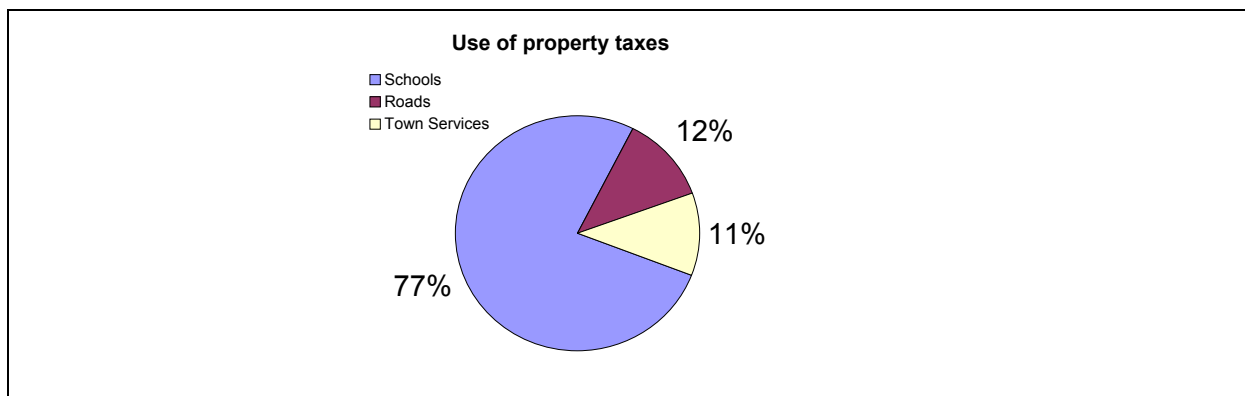
#### School budget

School tax rates are determined by what voters choose to spend per pupil.

In 2003, the Legislature altered the revenue sources for education funding by relying less on property tax and more on sales tax. For instance, under the new rules, the tax rate for the Underhill Town District in 2002-2003 would have been \$0.25 lower than what it actually was.

#### Municipal budget

Our municipal tax rate of \$0.59 is in the middle of the range for rural towns in Chittenden County. The rate varies from \$0.90 in Huntington to \$0.25 in Charlotte. In Jericho the rate is \$0.56; in Cambridge it is \$0.34.



**Total tax rate**

In 2003-04 the school tax rate for Underhill Town was 1.95. Adding the municipal tax rate of 0.59 results in a total tax rate of 2.54 per \$100 listed value; roughly 3/4 for the schools and 1/4 for the town. Our total tax rate is about the Vermont average. The Jericho tax rate is 2.78, the Cambridge rate is 2.39. (Highest in the state is Springfield with 3.59; lowest is Barnard with 1.44.)

**Lower tax rate for incomes below \$ 88,000**

Provisions in the state income law prevent town taxes on a homestead from becoming a financial hardship. A family with an income below \$88,000 can file for a school tax prebate check. A family with an income below \$47,000 is entitled to a formula-based credit against income tax for property tax or rent paid for both school and municipal tax.

**Growth has little effect on the tax rate**

Some people object to growth with the argument that it leads to increased school costs. But under Act 68 (Act 60 revised) the school tax rate depends on the expense per pupil, not on the number of students. More students leads to more state funding. In other words, the tax rate does not change when the number of students changes; it only changes when the spending per pupil changes.

When schools operate below the capacity of the buildings, as the elementary schools do now, growth will lower the school tax rate. The effect however is limited because salaries are a much larger part of the budget than facility costs.

The ratio between town expenses and the 'grand list' (the total taxable value of all property ) determines the municipal tax rate. There is no evidence that when the 'grandlist' increases through new development, the municipal tax rate decreases. Planning decisions are best based on the notion that growth has no effect on the tax rate for town services either.

**Impact fees**

Impact fees ensure that current residents do not pay for town investments needed for new development. For instance, if a new development requires a town-operated sewage system, impact fees can cover the investment costs.

Impact fees must show a rational connection between:

- the investment and the new development
- the investment and the benefits to the new residents

The formula that expresses these relationships in a numerical form determines the impact fee.

The Planning Commission will compare the pros and cons of an impact fee with more simple measures such as a building fee and/or a curb cut fee.

**Business tax**

A business tax would not create significant revenue for the town. There are only a few local businesses. Viable agricultural land is limited. We cannot compete with adjacent towns, which offer commercial turnkey lots with better infrastructure. We do not have resort attractions that could provide tax revenue.

# Objectives and actions

This town plan presents our objectives in the structure of the Vermont Statutes for municipal planning:

- Protect our heritage
- Facilitate economic activity
- Ensure access to education
- Provide transportation options
- Protect the environment
- Preserve natural resources
- Provide recreation opportunities
- Encourage agriculture and forestry
- Facilitate affordable housing
- Provide public services

Each chapter in this section opens with a Vermont objective and ends with a list of intended actions. Yearly action plans will specify who will do what, by when.

The full text of the Vermont State Objectives and the Vermont Town Planning Elements is available at: <http://www.leg.state.vt.us/statutes/sections.cfm?Title=24&Chapter=117>

Our objectives are in line with the Chittenden County Regional Plan.

This document presents data only when needed to substantiate a statement.

We found our data on the website of the UVM Center for Rural Studies: <http://crs.uvm.edu/>.

See the “Town Profile” for an extensive list of websites presenting a wider range of data.

## Protect our heritage

Plan development which maintains the historic settlement pattern of compact village and urban centers separated by rural countryside<sup>2</sup>.

- Intensive residential development should be encouraged primarily in areas related to community centers, and strip development along highways should be discouraged<sup>3</sup>.
- Economic growth should be encouraged in locally designated growth areas, or used to revitalize existing village centers.
- Public investments, including the construction or expansion of infrastructure, should reinforce the general character and planned growth patterns of the area.

(VSA Title 24; Chapter 117; § 4302)

Unlike most New England towns, Underhill was for the first hundred years mainly a logging community without a population center. By mid 1800, Underhill had fifteen settlements, all more or less self-sufficient, isolated by topography, ethnicity, religion or industry. The 1869 map of Underhill shows the English Settlement, the Irish Settlement, Poker Hill, the Flats, Beartown and Stevensville. Current road names reflect those settlements.

### Underhill Center

Underhill Center grew in response to the location of several sawmills on the confluence of streams at the bottom of Mt. Mansfield. At present, it retains the function of a civic center. It houses the Town Hall, a primary school, two stores and a Post Office. Because of its location on a floodplain and its proximity to the streams, this area does not tolerate high density. Upland areas still provide buildable lots.

### Underhill Flats<sup>4</sup>

Around 1900 the Flats was a commercial and social center, built around the station on the Essex-Cambridge railroad. After the demise of the railroad in 1937, the center function diminished and commercial buildings were one-by-one converted into residences. The Flats now houses the Post Office, the library, schools, churches, stores and the fire station. It is the only place in Underhill with three-phase power, fiber-optic cable and municipal water supply. VT Route 15 runs right through it. The limitations of the Center and the possibilities of the Flats, make the latter the logical choice for concentrating growth.

### A Village Center

Vermont's traditional villages had shops, civic facilities and houses around a town green. Tree-lined streets with sidewalks provided walking access to neighbors and shops. Creating a village center with village functions will restore what once existed. Forty years ago, one did not need to leave Underhill for daily shopping or medical care. But the village center died for lack of customers.

Now we have again a different situation. The population tripled, life styles changed and traffic increased. The chapter "Planning a village center" recommends a village, straddling the border between Jericho and Underhill.

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<sup>2</sup> Sentences in this font are quotes from the objectives for town planning in the Vermont Statutes

<sup>3</sup> Sentences in this font are the sub-objectives in the Vermont Statutes.

<sup>4</sup> The area west of Parkstreet is in Jericho and is called Riverside.

## Facilitate economic activity

Provide a strong and diverse economy that provides satisfying and rewarding job opportunities and maintains high environmental standards. Expand economic opportunities in areas with high unemployment or low per capita income.

(VSA Title 24; Chapter 117; § 4302)

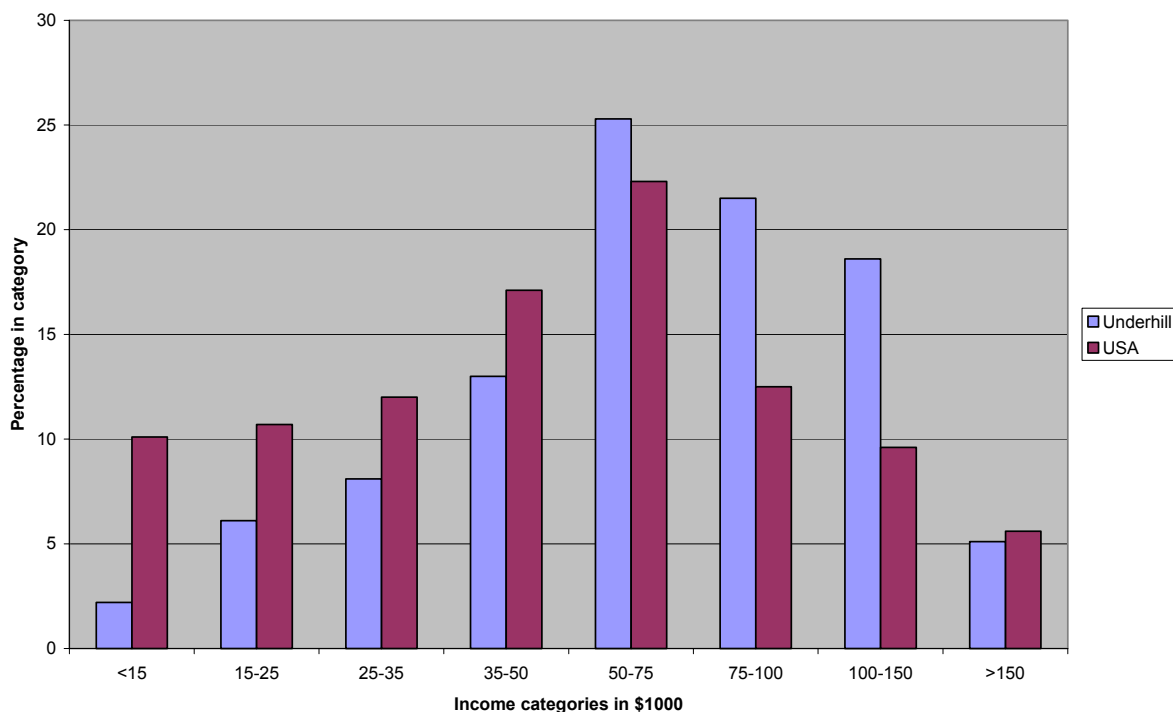
The second part of this objective does not apply to Underhill. Unemployment is low (2.5 % in 2001). The median family income of \$69,800 in 1999 places our town around the 30th percentile in the nation. The comparable figures for 1999 are: US \$50,000, Vermont \$48,600, Chittenden \$59,500. In 2003, the median family income in Chittenden County rose to 70,700. This suggests that the median family income in 2003 in Underhill has risen to around 80,000.

When we compare Underhill with the USA (see chart below), we see that our town has fewer families with low or moderate income (below \$50,000), almost double the proportion of well-to-do families (\$75-150,000) and about the same percentage of wealthy families (above \$150,000).

Part of the explanation is that more people work. In Underhill, 78% of the population above the age of 16 works; in the USA it is 64%<sup>5</sup>.

The other part of the explanation is that our town attracts high-earning professionals.

Distribution of family income in 1999 in the USA and in Underhill



<sup>5</sup> Source: <http://crs.uvm.edu/2000dps/0605000773975.pdf>



## **Employment opportunities**

Underhill is a bedroom community: 90% of the workers commute; only 10 % work in town<sup>6</sup>.

Although Route 15 offers the traffic exposure that boosts consumer businesses, start-ups have been limited and turnovers have been frequent. Proximity is not a decisive competitive advantage for retail shops because commuters can do their shopping on the way home. Nevertheless, along the roads are general stores, auto repair, B&B, a print shop, hair salons and some specialty shops; all together providing employment for 4% of the Underhill population.

Elsewhere, invisible to traffic, are home businesses that provide software development, dental construction, GIS mapping, upholstery, legal advice and consulting services of all kinds. These invisible businesses, some with clients all over the world, are a significant sector of the local economy. In 2000, 6.4% of the residents worked at home (US 3.3%). These ‘telecommuters’ do not contribute to commuter traffic and have more opportunity to participate in local affairs. Underhill is an ideal location for people who work from their homes. They find privacy in a rural landscape not too far from an urban center and an airport. Our rural character is our competitive advantage. By maintaining our rural character, the percentage of workers at home might increase, thus decreasing the percentage of commuters.

## **We need better telecommunications services**

A fast Internet connection is becoming a requisite of daily life, like cars, phones and television. Only 15 % of the respondents to the 2003 survey had a fast (DSL, cable or satellite) connection to the Internet. Converging trends create a growing need for a high-speed Internet connection:

- Many professionals can work at home if they have a fast Internet connection.
- The information industry provides many opportunities for working at home
- ‘Knowledge entrepreneurs’ can market their skills worldwide
- Education and training increasingly use the Internet.
- Entertainment is more and more available on the Internet.
- Families and friends maintain contact across the world by email

## **Child care facilities**

Childcare is needed for the 143 families where both parents are both working while they have children below six. There is no need for town initiatives in providing child care because the day-care centers in Underhill and Jericho provide sufficient openings.

## **Markets**

During the summer months, the Farmers Market on the grounds of Riverside Park is a welcome opportunity to buy local products.

The “Harvest Market” is a social, commercial and educational event for people and organizations in town and beyond and is an opportunity for craftspeople to show their products.

The United Church sponsors the event; its members and others in town organize it.

## **Economy Plan**

- Draw the attention of DSL providers to an untapped market in Underhill.
- Create a website that provides information on local businesses and events.

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<sup>6</sup> Source: <http://crs.uvm.edu/2000dps/0605000773975.pdf>

## Ensure access to education

Broaden access to educational and vocational training opportunities sufficient to ensure the full realization of the abilities of all Vermonters.

(VSA Title 24; Chapter 117; § 4302)

### Elementary Schools

Underhill supports two K-4 schools: the Underhill Central School and the Underhill Incorporated District (I.D.) School. The I.D. School is located in Jericho and enrolls children from both Jericho and Underhill. The I.D. School has its own school board and is funded by a special tax district.

### Middle School

The Browns River Middle School enrolls students from Underhill and Jericho in grades 5 through 8.

### High School

High school education is provided by the Mt. Mansfield High School on Browns Trace Road in Jericho. Vocational education is available to high school students at both the Burlington Technical Center and the Center for Technology, Essex Junction.

### Administration

The Chittenden East Supervisory Union supervises and supports all schools in Underhill, Jericho, Richmond, Bolton, and Huntington (coordination of special education, payroll, and insurance). The Mt. Mansfield Union (MMU) education system consists of the Browns River and Camels Hump middle schools and the Mt. Mansfield High School.

Town payments to the MMU and representation on its school board are based on the enrollment from each town. Underhill has two representatives on the MMU board.

### Enrollment and capacity

In the 1980s, enrollments began to exceed the capacity of the school buildings, first at the elementary school and then at the middle and high school. Additions were made to the Underhill Central School in 1986 and 1990, to the middle school in 1994 and to the high school in 1997. Since 1994 the trend has reversed and enrollments in the elementary and middle schools have been declining and will continue to decline. Enrollments in the high school will remain stable for a few years.

	Capacity	Enrollment 2003	Utilization 2003
Underhill Central School	240	143	60%
ID school	196	132	69%
Browns River Middle School	550	466	85%
Union High	1100	1,050	95%

### Financing

The additions to the schools in the 1980s and 1990s were financed by 20-year bonds. The construction bonds mature in 2006 and 2014 for the Central school, in 2012 for the I.D. School, in 2014 for the BRMS and in 2017 for the high school.

### Educational facilities plan (see map A)

- Projected enrollments<sup>7</sup> show sufficient capacity for several years. Consequently, there are no plans for building additional facilities, nor are there plans to upgrade them.

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<sup>7</sup> As reported by the Schoolboards

## Provide transportation options<sup>8</sup>

Provide safe, convenient, economic and energy efficient transportation systems that respect the integrity of the natural environment, including public transit options and paths for pedestrians and bicyclers.

(VSA Title 24; Chapter 117; § 4302)

Traffic from Underhill and communities to the north along Route 15 is becoming a major problem, especially in peak hours at the intersection of Route 15 and River Road. The commute time to Burlington has nearly doubled in the last decade. The increasing pressure requires initiatives and guidance from regional organizations. A promising start is the study of the Route 15 corridor from VT14 in Hardwick to the Essex-Jericho town line by the two Regional Planning Organizations. Of the 90% of Underhill residents who commute, 79% drive alone and 11% participate in a carpool<sup>9</sup>.

### Public transportation

Our housing density is below the threshold where public transportation becomes feasible. Moreover, the County Transportation Authority only provides public transportation to towns that are willing to subsidize it. Underhill residents have not supported such subsidies in the past. Future increases in commuter traffic might lead to a change of mind. Presently, the closest bus terminus is Essex Center. The only public transportation is a Senior Bus operated by the Champlain Valley Agency on Aging.

### Bike Paths

A majority would like to see a bicycle path between Underhill Flats and Underhill Center for recreation and as a non-motorized connection between the two parts of town.

Strong support and strong objections make this a contentious issue.

A Citizen Advisory Group will prepare a proposal for the town meeting in 2005.

### Sidewalks

A Transportation Enhancement Grant will fund the construction of sidewalks in the Flats in 2004.

Sidewalks in the Center are being considered, e.g. a sidewalk from the intersection with Krug Road to the Central School through the little town park opposite Town Hall.

### Road maintenance

The soils underlying Underhill roads are primarily glacial till interspersed with springs. This makes maintenance of our dirt roads during mud season and after heavy rains a challenge. Poker Hill, English and Irish Settlement Roads in particular create much work for the road crew. Road maintenance requires more than half of the town budget.

Impact fees might partially fund upgrading of roads affected by new development.

### Transportation Plan

- There are no plans for new town roads or for public transportation
- The Town Annual Report lists the planned road improvements up to 2007.
- A “Bike Committee” will explore the viability of a recreational bike path between the Flats and the Center
- A “Car-pool Committee” will try to revive car-pooling, using daily scheduling on the web.

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<sup>8</sup> See map B

<sup>9</sup> Source: <http://crs.uvm.edu/2000dps/0605000773975.pdf>

## Protect the environment

Identify, protect and preserve important natural and historic heritage of the Vermont landscape.

(VSA Title 24; Chapter 117; § 4302)

The combination of open land, developed villages and scenic vistas defines Underhill's rural character. Protection and improvement of that landscape has wide support in the community.

- **Significant natural and fragile areas**

The State Park protects the rare fragile tundra and bog at the top of Mt. Mansfield. Underhill has the responsibility to protect its Western foothills.

- **Outstanding water resources, including lakes, rivers, aquifers, shorelines and wetlands.**

As the headwaters of the Browns River commence in Underhill, we have a special responsibility for maintaining the health of the watershed, including ground water aquifers and recharge areas.

- **Significant scenic roads, waterways and views**

Residents and tourists value the seasonally changing views of Mt. Mansfield. The aim of the Scenic Preservation District is to maintain an unobstructed view of Mount Mansfield. However, natural forest growth has obstructed the view at several places. Zoning Regulations prohibit building at elevations above 1500 feet. A Telecommunication Ordinance aims to blend cell towers into the landscape.

- **Important historic structures, sites or districts, archaeological sites and archaeologically sensitive areas.**

A State report describes 19 historical sites in Underhill<sup>10</sup>. The town will apply for Village Center Designation which provides tax benefits for rehabilitation of historic commercial buildings and enhances the town's ability to secure grants for village-related activities.

To maintain and improve the quality of air, water, wildlife and land resources.

- **Vermont's air, water, wildlife, mineral and land resources should be planned for use and development according to the principals set forth in 10 VSA & 6086(a).**

## Watershed protection

Managing a watershed goes beyond municipal responsibilities because it is governed by geographic realities. Results of the assessment of the Browns River watershed by the Agency for Natural Resources might necessitate amendments in regulations, such as establishing appropriate setbacks from Brown's River or the creation of an environmentally sensitive district.

## Forest protection

Today, woodlands again dominate the town. The State Park, the Ethan Allen Firing Range and UVM properties together preserve 26%. State and town tax reduction programs offer temporary protection for another 35%. Conservation contracts offer permanent protection for another 0.5 %.

## Wildlife protection

Ridges and stream valleys provide natural wildlife corridors and barriers to development. Increasing development pressure threatens these corridors. Further conservation initiatives are required to safeguard these corridors. Updating the maps showing wetlands, bear habitat and deeryards will help to restrict development in these areas.

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<sup>10</sup> The report "Underhill Flats Historic District from the Benedict Tavern south to the Jericho line" by the Division of Historic Preservation mentions houses that go back to original settlements.

## **Protection of significant views**

The mountains and valleys of Underhill provide the views that characterize this town. Protecting these views requires measures beyond those required for conservation of individual parcels. A good example is our regulation that prohibits building above 1500 feet.

## **A SYSTEMATIC APPROACH TO CONSERVATION**

Conservation of land has always been a dominant theme in our town plans. However, we have no system to stimulate conservation. We have no inventory of land that we want to preserve, no order of priority and no fund to support conservation acquisitions. An Open Land Committee will be asked to develop a systematic approach, along lines as described below

## **Define conservation criteria**

Conservation efforts require criteria that specify which parcels should ideally be conserved. Criteria formulated by the Regional and Jericho Open Space Committees will be a good starting point.

## **Identify areas to be preserved**

An inventory of fragile areas, forests, wildlife habitats and scenic lands is an essential data-base for all conservation efforts. One example is the Crane Brook area, a particularly rich wetland that is a valuable habitat for bear, moose, fisher, otter, deer, waterfowl and songbirds. Another example is the scenic view from Pleasant Valley Road across Casey's Hill. .

## **Provide funds for conservation**

Conservation requires funding. Some residents need the full market price for their property because their land is their pension. Others do not need their land for financial security and might be willing to renounce development rights for a reduced price.

Local funding is a condition for support from state and other conservation agencies. Although a small majority supports a tax increase for this purpose, fundraising for a specific local project will be more acceptable and more lucrative.

The amount for conservation funding in the town budget remains to be decided.

## **Offer options to the landowner**

Conservation is a contract between a landowner and a conservation agency. The landowner can choose the agency to work with and is free to accept or reject the terms of the agreement. It can be a normal sale, a bargain sale or a donation of the development rights or of the property rights with limitations. Most landowners seek conservation because they cherish their land and want it to remain undeveloped. Reduction of property or estate taxes is often an additional motive.

Land trusts exist locally, statewide and nationally. Advice and support is available from the Jericho Underhill Land Trust (JULT). They know the rules, they are familiar with the area and they cooperate closely with other conservation agencies, such as the Vermont Land Trust.

For information and advice contact: <http://jult.org>.

## **Environmental protection plan**

- Agree on a division of responsibilities for conservation efforts
- Build on the recommendations of the CCRPC Task Force "Open Land"
- Make an inventory of areas worth being preserved and assign priorities.
- Promote and support the initiatives of the Jericho-Underhill Land Trust.
- Revive the Scenic Road Ordinance that was adopted in 1992, but never implemented.
- Designate River Road and Pleasant Valley Road as Scenic Roads

## **Preserve fossil and local natural resources**

Encourage the efficient use of energy and the development of renewable energy sources.

(VSA Title 24; Chapter 117; § 4302)

Initiatives to save energy are required at all levels.

- Families can help conserve nonrenewable resources and prevent global warming by deciding to save energy. Our recycle bins say it: “If you do a little, we can all do a lot”.
- Towns can contribute to energy conservation through land use planning. For example, a village center reduces automobile travel by providing walking access to shops and services. Sites with natural buffers reduce the need for heating in the winter and cooling in the summer.
- State government and regional agencies can provide information and set examples.
- Federal government can make a big difference by taxing gas at the same level as other industrialized countries.

In line with proposals by the State and the County, the 2003 Underhill Town Meeting adopted a motion to encourage every citizen to reduce greenhouse gas emissions by at least 10 %, at home, at work and on the road.

According to the 1999 Census, 14% of houses are heated by firewood, thus preserving non-renewable energy. However, heating with wood pollutes the air no less than heating with oil or gas.

The most environment-friendly solution is to go to the source and use solar energy.

### **Policies on the efficient use of energy**

- Use energy efficiency as a criterion in evaluating land use plans and transportation plans.
- Support the advocacy efforts of the State and the County.
  - Make the relevant promotional brochures available at Town hall
  - Form a volunteer advocacy group to stimulate residents to save 10% energy in their homes
  - Advocate the use of solar energy
- Revive car-pooling, using daily scheduling on the web. See page 11

To provide for the wise and efficient use of Vermont’s natural resources and to facilitate the appropriate extraction of earth resources and the proper restoration and preservation of the aesthetic qualities of the area.

The only earth resource in Underhill is gravel used for the maintenance of town roads. It occurs in small pockets created during the period of post-glacial flooding along the banks of the many streams. In the past, the gravel excavations were left as is and many scars have yet to be healed by nature. We will identify sand or gravel resources so that building proposals for such lots can be weighed against the option of future access. Town regulations now set the criteria for extraction and require that after removing gravel, the topsoil is replaced and ground cover planted.

### **Policies on the preservation of natural resources**

- Continue to preserve open land and forests through tax reduction contracts.
- Require replacement of topsoil and groundcover after excavation.

## Provide recreational opportunities

To maintain and enhance recreational opportunities for Vermont residents and visitors

- Growth should not significantly diminish the value and availability of outdoor recreational activities.
- Public access to noncommercial outdoor recreational opportunities, such as lakes and hiking trails, should be identified, provided and protected wherever possible.

(VSA Title 24; Chapter 117; § 4302)

Underhill provides many opportunities for outdoor recreation. The report “Town Profile” describes the public areas that offer opportunities for recreation.

### Trails

Well-known is the extensive trail system on Mount Mansfield. There are also trails in Mills Riverside Park and around the old dump site on the New Road. Private landowners in Underhill have traditionally allowed use of their land for walking, cross-country skiing, horse-riding and sledding. Many residents are adverse to trails on their land being shown a publicly available map.

### Swimming & tennis; sledding & skating

The town pond and tennis courts are valuable resources but maintenance by volunteers is problematic. Currently, the pond is primarily used by families with small children who need no locker room to put on a bathing suit. If the current facilities are not properly maintained, usage will drop further. The facilities should be such that older children and young teens will also be interested in using the pool. We could do more, such as organize tennis tournaments and arrange tennis lessons. But the current resources of the Recreation Committee barely allow maintenance of the existing facilities. More volunteer time is needed for such initiatives.

### Hunting

Increasingly, landowners disallow hunting but large tracts of open land are still available, allowing hunting and thus maintaining a healthy deer population.

### Recreation Plan

- Maintain the cabins at the swimming pool that serve as locker room
- Maintain the town tennis courts
- Make the town pond attractive for teenagers and adults.
- Organize tennis tournaments
- Organize walks to show residents trails over private land (if landowners agree).
- Create swimming holes (after acquiring Stream Alteration Permits from the State)

## Encourage agriculture and forestry

To encourage and strengthen agriculture and forest industries.

(VSA Title 24; Chapter 117; § 4302)

### Agriculture

Due to its geologic history, Underhill has little prime agricultural cropland. Grazing remains a good and underutilized function of the remaining land in Underhill. Currently, there is little full-time farming left within the town borders. Only 0.3% of the population works full-time in agriculture. Much of the remaining agricultural land is used for niche farming which appears to be gaining, as a part-time business and an adjunct to living in the country. Some residents keep cattle, sheep, horses, goats or lamas. Some grow flowers, berries, vegetables and herbs. Others produce maple syrup. Such endeavors are replacing dairy farming and may develop into an economically attractive way to maintain a working landscape. Harvesting hay is an economically feasible way to keep meadows open and retain the character of the landscape. We support these activities through town contracts for current use and the zoning regulations for the agricultural district.

### Silviculture

Although Underhill started as a logging town, non-financial objectives (recreation, water and air quality and wildlife habitat) are now the primary reasons for managing our forests.

- Strategies to protect long-term viability of agricultural and forested lands should be encouraged and should include maintaining low overall density.

Current Use contracts with the state and the town are the primary tools for encouraging silviculture and agriculture in its different forms.

- The manufacture and marketing of value-added agricultural and forest products should be encouraged.

Hardwood boards, maple syrup, Christmas trees and firewood are examples of forest products. Some residents add income through value-added products such as wreaths and maple candies. Honey, berries, vegetables, candles and canned jellies are sold on Thursdays in the summer on the Farmers Market, but their economic significance remains limited.

- The production and use of locally grown food products should be encouraged.

Through Current Use contracts the town encourages residents to grow vegetables, fruits, berries and maple products and to raise chickens, all of which can be marketed locally. On a larger scale, Underhill has large tracts of land suitable for innovative agricultural ventures based on grazing, such as raising lamb and beef. A website can match small landowners with niche markets in nearby metropolitan centers.

- Sound forest and agricultural management practices should be encouraged.

Tax reduction contracts for woodlots require a forest management plan.

The County Forester can also advise on woodlots not under contract.

We encourage keeping forest land in sizes that can support timber extraction in locations where trees grow well. When land is subdivided, we strive to maintain access for forestry operations.

### Agriculture and forestry plan

- Continue to offer tax reduction to landowners who keep their land in current use.
- Require a forest management plan from those landowners.
- Develop and maintain a website that functions as a market for the products of niche farmers and as a point of contact for those who wish to develop cooperative agricultural ventures.



# Facilitate affordable housing

To ensure the availability of safe and affordable housing for all Vermonters

- Housing should be encouraged to meet the needs of a diversity of social and income groups in each Vermont community, particularly for those citizens of low and moderate income.

(VSA Title 24; Chapter 117; § 4302)

## Demand for affordable housing

The latest CCRPC Housing Report predicts for Chittenden County a shortfall of 1000 affordable housing units. Proportionally, that would mean a shortage of 50 affordable houses in Underhill.<sup>11</sup> That number might be too high because few low wage earners will seek to move here as we have not many local jobs and no public transportation. On the other hand, there are also people who do not need to commute, such as teachers, childcare workers, caretakers for elderly, home office workers, artists and artisans. Some of them might need affordable housing, as might young families and seniors.

## What is affordable?

The cost of housing should not exceed 30% of household income. Assuming that the cost for mortgage, property taxes, insurance etc, is 12%, an income of \$56,000 (which is 80% of the median income for a household of four in 2003 in Chittenden County) would allow a house of \$140,400<sup>12</sup>. Two minimum income earners can only start to build equity by buying a dwelling of \$62,500<sup>13</sup>.

## Supply of affordable housing

Since 2000, 15 housing units were sold below \$140,000. That is 1.5% of the total housing stock of 1000. Clearly, supply of proprietary affordable housing in Underhill is very limited. In 2003, Underhill had 117 multi-family dwellings (48 for two, 3 for three and 3 for four families). We do not know how many rental units are available, nor do we know what the rent is.

## Ways to promote affordable housing

Because Underhill is a desirable location, it will not be easy to prevent the town from becoming a place for the well-to-do. The primary way to promote new affordable housing is to allow more units on smaller lots. The most feasible location for high density building is Underhill Flats. The opportunities and obstacles in that area are discussed in the chapter "A village center?"

Other ways to create affordable housing are:

- Rehabilitating sub-standard or vacant houses
- Building and renting accessory apartments
- Renting rooms

Converting a large house into more dwelling units is not an option because such a house is not available in the Residential District.

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<sup>11</sup> Chittenden population/Underhill population x 1000

<sup>12</sup> 30% of 56,000=16,800, which is 12% of 140,00

<sup>13</sup> Two people each working 2000 hours for \$6.25 earn \$25,000. 30% of 25,000=7,500 which is 12% of 62,500

## Supporting agencies

- VHFA provides financial support to developers and owners through grants and loans.
- USDA Rural Development Fund supports construction or rehabilitation of multi-family units.
- Habitat for Humanity members help build affordable houses for households that typically must dedicate a minimum amount of “sweat equity”
- Burlington Community Land Trust provides affordable rental and facilitates affordable ownership.
- Lake Champlain Housing Development Corporation builds and operates affordable rental housing.
- SHARE (Shared Housing Alternatives for Rural Elders) matches elders with appropriate housemates.

## Further sub-objectives from the Vermont Statutes

- New and rehabilitated housing should be safe, sanitary and located conveniently to employment and commercial centers, and coordinated with the provision of necessary public facilities and utilities.

There is no employment or commercial center. A public water supply system is only available in Underhill Flats.

- Sites for multi-family and manufactured housing should be readily available in locations similar to those generally used for single family conventional buildings.

There are no restrictions on the locations of manufactured housing.

Multi-family housing is encouraged in the Residential District and conditional in the other districts. A village center plan requiring a mix of affordable and higher priced houses will prevent income segregation.

## Housing Plan

We accept the civic obligation to provide affordable housing. Specific goals will be set after receiving the recommendations from the Regional Affordable Housing Task Force (June 2004?).

- Ask an Affordable Housing Committee to develop a comprehensive plan utilizing the many tools and agencies for affordable housing.
- Explore the feasibility of gradually installing the decentralized sewage disposal system that would be required for high density building in the Flats.
- Consider allowing higher density in the Residential District.
- Allow a density bonus for a PRD that provides at least 25% perpetually affordable housing.
- Explore the possibility of a senior housing project which is not subject to Federal restrictions.
- Identify options for the acquisition of affordable housing by local non-profit organizations.

## Provide public services

To plan for, finance and provide an efficient system of public facilities and services to meet future needs.

- Public facilities and services should include fire and police protection, emergency medical services, schools, water supply and sewage and solid waste disposal.

(VSA Title 24; Chapter 117; § 4302)

The report “Town Profile” describes current public services. This report, the Town Plan, focuses on issues that have changed or that require planning.

### Solid waste disposal

Since 2003, we have been part of the Chittenden Solid Waste District. The district has drop-off centers at Richmond, Essex, Hinesburg, Milton, South Burlington and Williston. All the centers but Hinesburg accept bulky items & hazardous waste. The town has a contract with a private hauler for curbside trash collection. Residents pay for this service by purchasing trash labels. They are free to choose another hauler.

### Sewage disposal

Although the present-day needs for sewage disposal surpass those of the original residents, the soils in the villages of Underhill Center & the Flats remain good for conventional sewage disposal. At the current density, a municipal system is not necessary.

The State regulations changed in 2002 and we have until July 2007 to adopt them. Until then we will adhere to our more restrictive Sewage Disposal Ordinance of 1992.

Although new septic technology makes it possible to build on sites not usable before, the effect on Underhill’s growth rate is expected to be negligible since it is only relevant for a small percentage of the land.

New methods of decentralized wastewater treatment can be installed and maintained at a fraction of the cost of centralized wastewater treatment. The option to build with higher density than previously possible, creates new opportunities for subdivision and building in Underhill Flats.

### Utility and facility plan

- Town facilities do not need to be extended for the predicted population growth.
- High density growth in Underhill Flats will require additional decentralized wastewater treatment. Options will be investigated.

# Land use plan

The focus of town planning is the use of the land because it has effects on all town objectives.

The tools for implementing the land use plan are Subdivision and Zoning Regulations.

In addition, landowners can decide to keep land undeveloped:

- Temporarily, by making a contract with the town or the state
- Permanently, by placing land under a conservation contract

## Sustainable growth

Maximum subdivision of all Underhill land under current regulations would create another 880 buildable parcels. In reality, that number will never be reached because not all landowners will sell their land and some parcels might remain too expensive to be developed. Nevertheless, our regulations could be insufficient to maintain our rural character. Limiting the number of building permits issued per year offers a further safeguard. In doing so, we have to strike the balance between the goals of the community and the financial interests of individual landowners.

Over the last ten years we issued on average 12.6 building permits per year. Our goal for the coming years is to issue no more than 20 building permits per year in non-Residential areas. That number leaves leeway for market forces and protects our objectives to a certain degree. Town staff can manage that rate of growth, local builders will have enough work and the community can absorb newcomers while maintaining the social networks that create a small town ambiance.

The Zoning Regulation that allows a maximum of two building permits per year per subdivision is a further defense against fast, large scale development.

## Regulations<sup>14</sup>

Subdivision and Zoning Regulations specify the requirements and limitations for each District.

Underhill distinguishes five districts, each with a specific purpose. The districts (zoning areas) were determined in 1973 on the basis of existing usage and data from geological survey.

A drawback of zoning districts is that it encourages development in lots of just the prescribed size (1, 3, 5, 10 and 15 acres), disregarding the features of the land.

### Residential District

Promotes higher density residential development and associated community services. This is the area in Underhill Flats with public water supply (but no public sewer). Minimum 1 acre.

### Rural-Residential District

Allows medium density residential development; mostly along roads where houses have been built and where soil cover is thicker than on the hillside. Minimum 3 acres.

### Water Conservation District

Protects an important aquifer recharge area around Underhill Center. Minimum 5 acres.

### Preservation District

Protects the scenic vistas along Pleasant Valley Road with views of Mt Mansfield. Minimum 10 acres.

### Soil and Water Conservation District

Protects the vulnerable aquifer recharge areas, primarily on steep slopes and higher elevations where the soil cover is thin. Most forest is in this district. Minimum 15 acres.

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<sup>14</sup> See map E

## **Planned Residential Development (PRD)**

Subdivision applicants may seek to subdivide land using PRD zoning regulations. A PRD agreement allows a developer to take into account a variety of considerations as long as a certain portion of land is kept permanently undeveloped and the number of parcels created does not exceed the maximum number of lots permitted for that parcel in that zoning area. A PRD can specify setbacks, lot sizes, building envelopes and septic envelopes that are different from those required for the district. This flexibility makes it possible to balance the wishes of the prospective owners with the objectives of the community. One example is a large meadow in single ownership and a cluster of smaller lots, thus avoiding “spaghetti” parcels. Another example is a cluster of houses plus a woodlot under management of a homeowners association or a land trust.

## **Review of Zoning Regulations**

Although we changed our Zoning Regulations whenever we saw inconsistencies or shortcomings, a systematic revision is now due. A \$5000 State grant will allow the Regional Planning Commission to assist us in updating and revising our Zoning regulations.

## **State & Town contracts<sup>15</sup>**

35% of the Underhill acreage is enrolled in a program that offers landowners tax reduction when they agree not to sell or use their land for development.

Contracts for forested parcels require a forest management plan that satisfies the criteria specified by a Vermont forest management agency. The Chittenden County Forester can advise in these matters.

### **Contracts with the State**

20% of the Underhill acreage is under a State Contract (74 contracts). The State program taxes farm and forest property according to its “actual use” value determined by the State Advisory Board, as opposed to its potential development value. Farm buildings are valued at 30% of fair market value. State contracts require a minimum of 25 acres and a land management program. The landowner pays municipal taxes on the actual use value and the State reimburses the town for the difference between this lower tax and the tax at full listed value. See <http://www.state.vt.us/tax/pvr.shtml>.

### **Contracts with the Town**

15% of the Underhill acreage is under a Town contract (96 contracts). Under the Town contract, the landowner agrees to keep at least 10 acres in its present use and condition, i.e. free of development. In return, the town taxes the land at 50%. When withdrawing from the program within ten years, the landowner must pay the taxes saved over the last five years.

## **Conservation contracts**

Currently, 0.5% of the Underhill land is under a conservation contract<sup>16</sup>.

Conservation contracts could be an important complement to our zoning regulations and tax reduction contracts. Only conservation contracts guarantee that land remains permanently open.

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<sup>15</sup> See map D

<sup>16</sup> Town land, McClellan common land, the Underhill part of Mills Riverside Park and two private parcels.

## State & Federal Land

A large proportion of the Underhill acreage (26%) is publicly owned.

- |  |      |             |
|--|------|-------------|
| • Mount Mansfield State Park                   | 16 % | 6,035 acres |
| • Ethan Allen Firing Range                     | 9 %  | 3,292 acres |
| • UVM properties (Proctor Research & the Chin) | 1 %  | 332 acres   |

Although these properties are not under a conservation contract, they can safely be expected not to be available for development.

### Land use plan

- Our goal is to issue no more than 20 building permits per year in non-residential areas.
- The Zoning and Subdivision Regulations will be revised in line with this plan.
- No adjustments in Zoning Areas are planned. The “Future Land Use” map shows current usage and sensitive areas.

## Other VSA Planning elements

### 1. Objectives that guide future growth

The previous chapters specify our objectives.

### 7. Recommended Program for the Implementation of the Objectives

Planned actions are described under the appropriate objective. Land use plan is a separate category.

### 8. Relationships with plans of adjacent towns and of the region

The Planning Commissions of our bordering towns were invited to comment on our Town Plan.

#### **Jericho**

Development of Underhill Flats and the Riverside area in Jericho requires ongoing consultations.

#### **Cambridge**

Consider to designate Pleasant Valley Road a Scenic Road.

#### **Westford**

No current issues

#### **Bolton**

No current issues

#### **Essex**

No current issues

# Planning a village center

Planning the future of Underhill requires more than fine-tuning regulations. A pro-active approach leads to better results. The most important element of our pro-active approach is the promotion of a lively village centre.

## What is a village center?

Various terms are used to describe village-type development: smart growth, growth center, Vermont neighborhood. The characteristics are:

- diverse types of housing
- a mixture of residences, shops and town services
- a compact street system with walkways, bicycle paths, public transportation and auto access
- open spaces and tree-lined streets

## Why a village center?

The village center concept has been promoted in Vermont for many years. The alternative, low-density development, has a corrosive effect on the landscape and communities.

The negative impact of scattered development includes:

- Expensive town services (road maintenance, waste collection, school bus, etc.).
- Complete dependence on cars, leading to traffic congestion and air pollution
- Fragmentation of farm and forestland, reducing the viability of farming and forestry.
- Limited neighborly contact, leading to social isolation and lack of civic involvement

These negative effects will only increase as our population expands and grows older.

On the other hand, as the population ages, a village is likely to become a more popular option.

## Why would people want to live there?

A statewide survey found that although a majority of Vermonters applauds the idea of a village center, only 25% prefers to live there. A village does not offer the amenities of a city, nor does it offer the privacy of a large parcel in the woods. People will only be interested in a village when it provides the features that make it desirable : daily shopping and open space within walking distance and low traffic. A survey<sup>17</sup> in 2002 among 250 recent homebuyers and 150 recent renters showed that nearly three-quarters would seriously consider moving to a city, town or village center if the neighborhood was quiet, properties were well kept, traffic was low and public open spaces were nearby.

## Why plan a village now?

Converging factors make this a good time to plan a village center.

- The 13 acre lumber mill property in the center of Underhill Flats (in Jericho) is for sale and will likely be developed in the near future. This presents a unique opportunity to encourage new development that reinforces the village. Another 47 acres on the Underhill side is privately owned. The opportunities offered by both properties become a threat when we do not take a proactive approach.
- The two towns have made significant investments in public facilities associated with the village including the schools, library, park, and road intersections. Additional investments in water facilities and sidewalks are being planned. These investments reinforce the two towns' commitment to Underhill Flats (or Riverside as it is called in Jericho) as a focal point for our community.
- New options for decentralized wastewater treatment remove the obstacle of large investments for a public sewage system. The cost might be justified in the context of a larger project.
- High density building in the village center is the most feasible option for affordable housing.

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<sup>17</sup> See <http://www.vtsprawl.org/Initiatives/projects/tvn.htm>

Availability of houses in a village center will not diminish the pressure on rural areas. People who seek and can afford a large, private, wooded lot are not interested in a house in a village.

### **How to assess the feasibility?**

The best way to assess the feasibility of a village center is to initiate the planning process.

First steps are:

- Determine a process in which the two towns can work together. Planning a village together with another town requires extra attention to the planning process. The opportunity offered by the Green Crow property can motivate representatives of both towns to find a common approach.
- Talk with the people who live in the area.
- Apply, together with Jericho, for a municipal planning grant (\$25,000)

Developing a plan together allows both towns to:

- Evaluate the options for water supply, wastewater treatment and sewage disposal
- Sketch road configurations that will be needed to prevent further traffic congestion
- Establish the boundaries for the growth center

### **How to proceed?**

Many initiatives will be required to make a village center a reality; for instance:

- Find or create a land trust that can buy the Green Crow property
- Draw a map that shows where roads, parks, drainage-ways etc. are to be located.
- Identify an optimal traffic circulation system
- Change the regulations to encourage a density of 4 to 7 dwelling units per acre.
- Determine design standards as part of the zoning regulations.
- Adopt a Capital Budget that specifies the investments for public facilities
- Seek “Village Center Designation” from the State of Vermont which gives priority to towns for planning and development in the designated village and gives owners of historic buildings tax credits for renovation.
- Find developers who understand the vision for a village.



# Forms of participation

Decisions on the future of a town require an open, democratic and documented process. We solicited the views of residents in various ways.

## Publicity

The October 2<sup>nd</sup> issue of the “Mountain Gazette” reported the main points of the plan.

## Opinion survey

A two page survey invited residents to give their comments on a draft of the plan.

The survey was distributed as an insert to the October 16 issue of the “Mountain Gazette”.

Begin November 2003, 40 residents had obtained a copy of the town plan.

End November, 144 residents had responded to the questionnaire. Many of them wrote further comments on the survey form. See the next page for the survey results.

## Public hearings

Residents were also invited to express their opinion in hearings.

The Planning Commission Hearing on December 10 drew 10 participants.

The Select Board held public hearings on January 12 and 27, 2004

## Input from other parties

The Planning Commissions of adjacent towns were invited to comment on a draft of the Town plan.

Staff of the Regional Planning Commission provided some data and advice.

The websites of the Center for Rural Studies and the Vermont Planning Information Center provided the demographic data.

## Citizen Advisory Groups

The Planning Commission seeks assistance and initiatives on various issues:

- A Village Center Task Force, preferably including representatives of Jericho, to investigate the feasibility of a village center.
- An Open Space Committee to identify areas worth to be preserved and establish priorities
- A Bike Path Committee to investigate feasibility of a bike path between the Center & the Flats.
- An Affordable Housing Committee to propose ways to facilitate affordable housing
- An Energy Saving Advocacy Committee to do what the name suggests, including carpooling

Individual volunteers are asked to provide services such as drawing of maps, maintenance of a website and advice on decentralized waste water treatment.

# Survey results

<b>1. Charge impact fees to cover the costs of new town infrastructure</b>	
- Yes. Developers should pay for the expenses they incur	121
- No. Please, state your reason	11
- No opinion	6
<b>2. Construct a bike path between the Center &amp; the Flats</b>	
- Yes, as long as it does not increase my taxes	35
- Yes, even if it increases the tax rate by \$ 0.01	72
- No. Please, state your reason	30
- No opinion	6
<b>3. Improve cell phone connections in our area</b>	
- Yes. That brings our telephone connections up-to-date	67
- No. Some cell towers may disturb the landscape	63
- No opinion	11
<b>4. Increase taxes for a conservation fund</b>	
- Yes. A \$0.01 increase in tax rate is acceptable (raises \$15,000/year)	36
- Yes. A \$0.02 increase in tax rate is acceptable (raises \$30,000/year)	23
- No. Leave it completely to voluntary contributions	60
- No opinion	3
<b>5. Facilitate affordable housing</b>	
- Yes. Pursue and promote feasible options	82
- No. Please, state your reason	37
- No opinion	24
<b>6. What yearly growth rate is desirable?</b>	
- The less, the better (0%)	44
- Do not exceed the growth of the nation (2%)	57
- Under current regulations, let market forces have their way	31
- No opinion	3
<b>7. Plan a village center in Underhill Flats</b>	
- Yes. That is an idea worth pursuing	83
- No. Leave the use of that land to market forces and regulations	38
- No opinion	15